

REMARKS

This Amendment and Response is submitted in response to the Office Action mailed 9 FEBRUARY 2004. Withdrawal of the rejection and reconsideration with an eye toward allowance is respectfully requested.

Claim Status

Claims 1-20, 22-29 and 31-48 are pending after entry of the present amendment. Claims 1-31 stand rejected and claims 32-40 have been withdrawn. Claims 1, 2, 11, 22, 23, 28, and 31 are amended herein. Claims 21 and 30 are cancelled without prejudice or disclaimer toward presenting them in a related application, and claims 41-48 added. A complete listing of all claims that are, or were in the application, along with an appropriate status identifier, is provided above in the section entitled "Amendments to the Claims". Markings are provided on claims amended in the present amendment.

Support for the above claim amendments can be found throughout the originally filed specification, drawings, and claims.

Claim Rejections – 35 U.S.C. §102

Claims 1-9, 11-17, and 21-30 were rejected under 35 U.S.C. §102(b) as being anticipated by Johnson (U.S. Patent Number 5,059,916).

Johnson discloses a gauge circuit for use with a wide angle air core meter display (see abstract). Johnson discloses a current mirror and a sense resistor (see col. 3, lines 50-60).

In contrast, Applicant's independent claim 1 recites "a replicate circuit including a replicate circuit element configured to generate an adjustable test current indicative of one of the plurality of states" and a trim determination circuit "configured to compare the adjustable test current to a current through the measurable circuit element and indicate at least one of the states of the measurable circuit element". Claim 11 recites that "a comparison between the first and second voltage drops identifies a state of the measurable circuit element". Independent claim 23 recites "a comparison between the second voltage drop and the first voltage drop indicates a state of the replicate element". Independent claim 28 recites "the first amplifier output indicates a

comparison between the first sense voltage and the measured voltage to identify a state of the plurality of states of the measurable element”.

As the Examiner is aware, for a reference to anticipate a claim, the reference must teach every element of the claim (see M.P.E.P §2131).

Applicant respectfully submits that Johnson fails to teach “a replicate circuit including a replicate circuit element configured to generate an adjustable test current indicative of one of the plurality of states”. Johnson is limited to disclosure of a current mirror such that current in one transistor is mirrored in another. Johnson does not disclose generating an adjustable test current that is indicative of a state of a measurable device. Johnson further fails to disclose a trim determination circuit “configured to compare the adjustable test current to a current through the measurable circuit element and indicate at least one of the states of the measurable circuit element”. Johnson further fails to disclose that “a comparison between the second voltage drop and the first voltage drop indicates a state of the replicate element,” as recite in independent claim 23 and “the first amplifier output indicates a comparison between the first sense voltage and the measured voltage to identify a state of the plurality of states of the measurable element” as recited in Applicant’s claim 28. The current mirror of Johnson is not configured to perform a comparison nor indicate a state of a measurable circuit element.

Accordingly, Applicant submits that independent claims 1, 11, 23, and 28 are patentable over Johnson.

Claims 2-9 depend from and include all limitations of Applicant’s independent claim 1 and are accordingly patentable over Johnson at least for the reasons described above with regard to Applicant’s independent claim 1. Claims 12-17 depend from and include all limitations of Applicant’s independent claim 11 and are accordingly also patentable over Johnson. Claims 22 and 24-27 depend from and include all limitations of Applicant’s independent claim 23 and are accordingly also patentable over Johnson. Claim 29 depends from and includes all limitations of Applicant’s independent claim 28 and is accordingly also patentable over Johnson.

Claim Rejections –35 U.S.C. §103

Claims 10, 18-20, and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson in view of Ozguc (U.S. Patent Number 6,130,651).

Johnson is discussed above.

Ozguc is directed toward an adaptive output driver including circuitry for sensing the capacitive loading of a driver circuit and then adjusting the drive output so that the output signal possess a desired slew rate (see abstract).

Claim 10 depends from and includes all limitations of Applicant's independent claim 1. Claims 18-20 depend from and include all limitations of Applicant's independent claim 11. Claim 31 depends from and includes all limitations of Applicant's claim 28. As discussed above, Applicant submits that Johnson fails to disclose or suggest all limitations of Applicant's claims 1, 11, and 28 including "a replicate circuit including a replicate circuit element configured to generate an adjustable test current indicative of one of the plurality of states," "a comparison between the first and second voltage drops identifies a state of the measurable circuit element," and "the first amplifier output indicates a comparison between the first sense voltage and the measured voltage to identify a state of the plurality of states of the measurable element". Applicant respectfully submits that Ozguc further fails to disclose these features, being limited to disclosure of generating an output signal with a desired slew rate.


Accordingly, Applicant submits that the 35 U.S.C. §103(a) rejection of claims 10, 18-20, and 31 over Johnson in view of Ozguc should be withdrawn.

CONCLUSION

Prompt and favorable consideration of this Amendment and Response is respectfully requested. If the Examiner believes, for any reason, that personal communication will expedite prosecution of the application, the Examiner is invited to call the undersigned at (415) 781-1989.

Respectfully submitted,

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